UNITED NATIONS

E/NL.1989/37-39
17 August 1990
ENGLISH ONLY

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances, the Secretary-General has the honour to communicate the following legislative texts.

PHILIPPINES

Communicated by the Government of the Philippines

NOTE BY THE SECRETARIAT

(a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [ ] have been added or changed by the Secretariat.

(b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

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E/NL.1989/37

BOARD REGULATION No. 1 s. 1988, 18 February 1988
AMENDING BOARD REGULATION No. 1 s. 1973, LISTING
TUSSIONEX AND MERCODOL AS EXEMPT PREPARATIONS

It appears that dihydrocodeinone is included in Schedule I of the list of controlled drugs under the 1961 Single Convention on Narcotic Drugs, as amended. The Dangerous Drugs Board, pursuant to its powers under Article VIII, Section 36 (a) of RA 6425, 1/ as amended, and in accordance with a decision arrived at in its meeting of 18 February 1988, hereby classifies Tussionex and other drug preparations containing dihydrocodeinone as prohibited drugs.

This regulation accordingly amends Board Regulation No. 1, Series of 1973 2/ and shall take effect upon completion of its publication in a newspaper of general circulation once a week for two consecutive weeks.

TOMAS P. MARAMBA, JR., M.D., M.H.A.
Chairman
(Undersecretary of Health for
Standards and Regulation)

(Signed)

MANUEL M. SUPNET
Executive Director

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E/NL.1989/38

BOARD REGULATION No. 2 s. 1988, 17 March 1988
AMENDING BOARD REGULATION No. 6 s. 1972 3/ BY ADDING EPHEDRINE, PSEUDOEPHEDRINE
AND ANY OF THEIR SALTS AS WELL AS PREPARATIONS CONTAINING ANY OF SAID DRUGS
IN THE LIST OF REGULATED DRUGS; AND PROVIDING FOR CERTAIN EXCEPTIONS

Pursuant to the powers vested in the Dangerous Drugs Board under Section 36 (a) of RA 6425, 1/ as amended, Board Regulation No. 6 s. 1972 is hereby amended as follows:

SECTION 1. Classification as Regulated Drugs. All raw materials of ephedrine, pseudoephedrine, or any of their salts, as well as preparations containing any of the said drugs are hereby classified as regulated drugs.

SECTION 2. Exception. Section 1 hereof does not apply to a preparation containing any of the above-named drugs when such preparation:

(a) is so compounded as to present no, or negligible, risk of abuse and none of the above-named drugs that it contains can be recovered by readily applicable means in a quantity liable to abuse;

(b) contains one or more non-narcotic or non-psychotropic active medicinal ingredient in proportion sufficient to prevent enhancement, or potentiation or synnergism of the abuse liability of the ephedrine, pseudoephedrine, or any of its salts;

(c) is devoid of any prohibited drug, regulated drug, or psychotropic substance under Schedule I of the 1971 Convention on Psychotropic Substances or psychoactive drug not under domestic or international control but with known abuse potential; and

(d) is not in injectable form.

SECTION 3. Effect of presence of prohibited drug. When the contents of the subject preparation is in association with a prohibited drug, the preparation shall be deemed to be a prohibited drug.

SECTION 4. Prohibition against over-the-counter sale and distribution as physician's samples. In no case shall a preparation in any form and in whatever physical state containing ephedrine, pseudoephedrine, or their salts be sold as over-the-counter items or distributed as physician's samples.

SECTION 5. This regulation shall take effect fifteen (15) days after the completion of its publication once a week for two consecutive weeks in a newspaper of general circulation.

TOMAS P. MARAMBA, JR., M.D., M.H.A.
Chairman
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E/NL.1989/39

BOARD REGULATION No. 2.A s. 1988, 17 March 1988
AMENDMENT OF BOARD REGULATION No. 2.A s. 1985, AS AMENDED BY BOARD REGULATION No. 1 s. 1987 CLASSIFYING BENZODIAZEPINE SUBSTANCES AND CERTAIN BENZODIAZEPINE PREPARATIONS AS REGULATED DRUGS; PROVIDING FOR EXEMPTIONS AND PRESCRIBING CONDITIONS/REQUIREMENTS THEREFOR

Pursuant to the powers vested in the Dangerous Drugs Board under Section 36 (a), Article VIII of RA 6425, 1/ as amended, Board Regulation No. 2.A s. 1985 4/ is hereby amended as follows:

SECTION 1. Definition.

(a) The term "preparation" used herein means:

(i) Any solution or mixture, in whatever physical state, containing one or more benzodiazepine substances in combination with a non-psychoactive substance not controlled internationally or domestically and possessing pharmacological effects which can prevent the enhancement or potentiation or synnergism of the drug abuse liability of the psychotropic substance, or

(ii) One or more benzodiazepine substances in dosage form.

(b) The term "dosage form" used herein means:

A measured small quantity of a psychotropic drug or combination of psychotropic drugs in whatever form (tablet or pill or capsule, ampoule or powder), ready for consumption by, or administration to, a patient or animal, no matter whether orally or by parenteral injection or otherwise.

SECTION 2. Classification as Regulated Drugs. Except as otherwise provided in Sections 3 and 4 hereof, benzodiazepine substances and preparations as defined herein are classified as Regulated Drugs.

SECTION 3. Exempt Preparations. Benzodiazepine substances are hereby classified as exempt preparations when all of the following requisites are present:

(a) The benzodiazepine content does not exceed the limits for such prescribed by the Board;

(b) The benzodiazepine substance present is not in association with another benzodiazepine substance, or a prohibited drug, or another regulated drug, or a psychoactive drug not under domestic or international control but with known abuse potential;

(c) Such preparation is compounded in such a way that it presents no or a negligible risk of abuse and the benzodiazepine substance cannot be recovered by readily available means in a quantity liable to abuse;

(d) Such preparation does not contain a psychotropic substance under Schedule I of the 1971 Convention on Psychotropic Substances.

SECTION 4. When the benzodiazepine substance present in a preparation is in association with a prohibited drug, such preparation shall be deemed to be a prohibited drug.

SECTION 5. Scope of Application. As herein construed, all benzodiazepines (including Midazolam) and benzodiazepine preparations, whether or not internationally controlled are covered by this regulation.

SECTION 6. Registration, Recording, Prescription and other Requirements. All drugs and drug preparations falling within the classification herein made are subject to the registration, recording, prescription and other requirements prescribed under Board Regulation No. 2.B s. 1988.

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SECTION 7. Prohibition against distribution as physician's samples. In no case shall a preparation in any form and in whatever physical state containing benzodiazepines be distributed as a physician's sample.

SECTION 8. This regulation shall take effect upon completion of its publication once a week for two (2) consecutive weeks in a newspaper of general circulation.

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Chairman
(Undersecretary of Health for
Standards and Regulation)

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MANUEL M. SUPNET
Executive Director

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Notes by the Secretariat

1/ E/NL.1976/50.

2/ E/NL.1976/57.

3/ E/NL.1976/55.

4/ E/NL.1985/31.

5/ E/NL.1976/58.